UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON AT TACOMA

PETER J MCDANIELS,

Plaintiff,

v.

KATHLEEN PREITO, et al.,

Defendants.

No. 3:17-cv-05801-RBL-DWC

ORDER ADOPTING REPORT AND RECOMMENDATION

The Court, having reviewed the Report and Recommendation of Magistrate Judge David W. Christel, objections to the Report and Recommendation, if any, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation.
- (2) Defendants' Motion for Summary Judgment (Dkt. 47) is granted, and Plaintiff's claims are dismissed with prejudice.
- (3) Plaintiff's *in forma pauperis* status will continue on appeal.
- (4) The Clerk is directed to send copies of this Order to Plaintiff, counsel for Defendants, and to the Hon. David W. Christel.

DATED this 5th day of April, 2019.

Ronald B. Leighton

United States District Judge